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SIMTEK6974

## IN THE UNITED STATES PATENT OFFICE

MAY 10 2006

In re Application  
Hideaki SaitoApp. No.: 10/711337  
Filed: September 12, 2004  
Conf. No.: 5336  
Title: TILT AND TRIM SYSTEM OF  
OUTBOARD DRIVE OF  
PROPULSION UNITExaminer: L. Olson  
Art Unit: 3617  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450I hereby certify that this correspondence and all  
marked attachments are being deposited with  
the United States Patent Office via fax to  
(571) 273-8300 on:

May 10, 2005

  
Ernest A. Beutler  
Reg. No. 19901**REQUEST FOR RECONSIDERATION**

Dear Sir:

In response to the Office Action, dated February 13, 2006, the Examiner is most respectfully requested to reconsider and withdraw the rejection of all claims in this application on the combination of Onoue in view of Nakamura. It is submitted that the combination the Examiner proposes is not one that one skilled in the art would make, because it would result in an inoperative structure that would not accomplish the desired teaching of each reference.

Applicant's invention is directed to a watercraft tilt and trim unit that permits power operated trim and tilt up operation as well as protecting the damping arrangement from damage in the event a substantial underwater object is encountered. The basic Onoue reference is directed to a tilt and trim unit that is power operated, but which has no protection from damage in the event a substantial underwater object is struck as should be readily obvious from FIG. 12 of this reference, which shows undamped metal to metal contact between the piston 170 and its containing cylinder body 122.

Nakamura, on the other hand, shows a tilt cylinder only that has a valve, which when opened, permits the expansion of the device to a tilted up position with no apparent damping to any popping up action.

Thus it is most respectfully submitted that one skilled in the art would not combine these two references as the Examiner proposes since the combination apparently would result in a device that would not operate in a method as disclosed only by applicant and not the cited art.

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If the Examiner persists in this combination, he is respectfully requested to point out where the Nakamura reference teaches any damping action effected by the piston 24 in the event an underwater object is struck.. Also he is solicited to point out how the resulting combination would continue to permit Onoue to operate as Onoue desires.

Respectfully submitted:



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